

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF INTEGRATED RESOURCE)
PLANNING FOR THE PROVISION OF)
STANDARD OFFER SUPPLY SERVICE BY)
DELMARVA POWER & LIGHT COMPANY UNDER)
26 DEL. C. § 1007(c) & (d): REVIEW) PSC DOCKET NO. 06-241
AND APPROVAL OF THE REQUEST FOR)
PROPOSALS FOR THE CONSTRUCTION OF)
NEW GENERATION RESOURCES UNDER 26)
DEL. C. § 1007(d))
(OPENED JULY 25, 2006)

Motion to Reschedule Commission Hearing

NOW COMES, Jeremy Firestone

1. This docket was initiated on August 8, 2006, pursuant to Commission Order 7003.
2. On or about August 1, 2006, Delmarva Power & Light Company (Delmarva) submitted a draft request for proposal (RFP) related to the above-captioned matter.
3. On or about August 18, 2006, Jeremy Firestone and Willett Kempton submitted preliminary written comments in the above-captioned matter.
4. Jeremy Firestone is a Delmarva residential electric customer.
5. On August 18, 2006, Jeremy Firestone participated in a Public Workshop in the above-referenced matter, and provided oral comments into the record.
6. In Order 7003 the Commission ordered that the “Commission Staff, after consultation with the retained consultant, shall submit a Report with its recommendations concerning modifications, if any, to the Request for Proposals solicitation submitted by Delmarva Power & Light Company” on or before September 15.
7. Order 7003 invited the Delaware Office of Management and Budget, the Delaware Energy Office, and the Delaware Controller General to “participate in any and all Commission Activities.”
8. The Commission Staff failed to file a timely report as required by its own Commission’s Order.

9. Rather than making its own recommendations after consulting with the private consultant, and filing its own timely report as required by the Commission, the Commission Staff filed an “initial” private consultant’s report three calendar days after the deadline on, August 18, 2006.
10. The private consultant’s initial report was prepared not only for the Commission staff, but for the Delaware Office of Management and Budget, the Delaware Energy Office, and the Delaware Controller General (hereinafter, together referred to as the “state agencies”), but it is not clear which state agencies, if any, have endorsed and adopted as their own the private consultant’s initial report.
11. On or about September 27, 2006, the private consultant filed a redline version of the Delmarva draft RFP. Along with the redline version, the private consultant filed an Explanatory Memorandum.
12. No notice was provided to the parties to this proceeding of the private consultant’s September 27, 2006 filings.
13. The private consultant’s redline version purports to have been prepared for the state agencies but it is not clear which state agencies, if any, have endorsed and adopted as their own the redline version.
14. The private consultant’s redline version differs in significant respects from its initial report. For example, the price stability criterion, which as assigned 20 points in the initial report is assigned only 15 points in the redline version.
15. The private consultant’s “Explanatory Memorandum” requests input on seven factors.
16. The Commission Staff has extended the time to respond to “its” report (and presumably the redline version of the RFP) until October 3, 2006.
17. The Commission Staff has represented that a so-called “Revised Final Report” will be submitted to the Commission by October 12, 2006.” See <http://www.state.de.us/delpsc/irp.shtml>.
18. It is not clear whether the “Revised Final Report” will be a private consultant’s report or a Staff Report.
19. Order 7003 set the Commission Hearing in this matter, 32 calendar days after the date on which the Commission Staff was to have filed its Staff Report.
20. The Commission Hearing in this matter is presently scheduled to commence at 1:00 p.m. on October 17, just three business days after the “Revised Final Report” is to be filed.

21. By email dated September 25, 2006, Robert Howatt indicated that all “interested parties who have provided comment are ‘official’ parties to the proceeding. It is not necessary to serve copies of all correspondence on the parties as we have been posting all materials to the PSC Website and will continue to do so.”

WHEREFORE, I respectfully request that this Honorable Commission:

1. **Order** the Commission Staff in accordance with Order 7003 to exercise its own judgment independent of other state agencies and independent of the private consultant and to immediately file a Staff Report, including a redline version of Delmarva’s draft RFP.
2. **Continue** the presently scheduled hearing on October 17, 2006, so that interested parties may have adequate opportunity to prepare for such hearing in light of the foregoing.
3. **Reschedule** the hearing for October 24, 2006, or at a minimum not before October 19, 2006, which would provide interested parties with at least one week from the date on which the Commission Staff purports to file a Revised Final Report.
4. **Grant** such relief without the benefit of a hearing, or if such a hearing is necessary, hold such hearing at its next regularly scheduled hearing commencing at 1:00 p.m. on October 3, 2006.
5. **Grant such other relief as is appropriate and just.**

Respectfully submitted,

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